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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,648	09/18/2001	Judith F.M. Masthoff	PHGB 000126	7500

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EXAMINER

KE, PENG

ART UNIT PAPER NUMBER

2174

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/954,648

Applicant(s)

MASTHOFF ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to communications: Amendment, filed on 5/23/05.

Claims 1-20 are pending in this application. Claims 1 and 7 are independent claims. In the Amendment, filed on 5/23/05, claims 1, 7, 8, and 12 were amended, and claims 15-20 were added.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Hochstedler U.S. Patent 6,707,476 in view of Hoffberg U.S. Patent 6,400,996.

As per claim 1, Hochstedler teaches a method of customizing a graphical user interface for a computer controlled system having at least one selectable parameter, comprising the steps of:

devising an optimized arrangement of the parameter selection which matches a pattern of selection; (see Hochstedler, column 5, lines 37-column 6, lines 34)

displaying the optimized arrangement; (see Hochstedler column 5, lines 37-column 6, lines 34) and

actuating an input mechanism such that a first actuation of the input device accepts the displayed optimized arrangement and a second actuation of the input device cancels the displayed optimized arrangement. (see Hochstedler, column 8, lines 43-55)

However Hochstedler fails to teach monitoring the selection of the at least one selectable parameter by a user, and determining any pattern of selection.

Hoffberg teaches monitoring the selection of the at least one selectable parameter by a user, and determining any pattern of selection. (see Hoffberg, abstract, lines 1-21; col. 50, line 53-col. 51, line 14; col. 116, lines 50-64)

It would have been obvious to an artisan at the time of the invention to include Hoffberg's teaching with the method of Hochstedler in order provide users with an adaptive user interface that changes in response to users' past history.

As per claim 2 Hochstedler and Hoffberg teach a method according to Claim 1. Hochstedler further teaches the parameters are displayed as a menu and the order of the parameters in the menu is varied. (see Hochstedler, column 5, lines 37-column 6, lines 34)

As per claim 3, Hochstedler and Hoffberg teach a method according to Claim 1. Hoffberg further teaches the selectable parameters are channels of a multi-channel television system. (see Hoffberg, column 116, lines 37-49, column 50, lines 53-62)

It would have been obvious to an artisan at the time of the invention to include Hoffberg's teaching with the method of Hochstedler in order provide users with an adaptive television navigational interface.

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As per claims 4, 5 and 6, Hochstedler and Hoffberg teach a method according to claim 1. Hoffberg further teaches the method in which the selectable parameters are processing parameters of an optical processing system that is an x-ray image processing or recording system (medical device interfaces) (see Hoffberg, col. 131, line 49-col. 132, line 17).

As per claim 7, Hochstedler teaches a computer controlled system having a customizable graphical user interface by which a plurality of parameters can be selected comprising:

display means to display the parameters;

selection means to select the parameters; (see Hochstedler, column 5, lines 37-column 6, lines 34)

an input device arranged so that a first actuation of the input device accepts the displayed optimized arrangement and a second actuation of the input device cancels the displayed optimized arrangement. (see Hochstedler, column 8, lines 43-55)

However Hochstedler fails to teach monitoring means to monitor the selection of parameters and to devise an optimized arrangement of the parameter selection.

Hoffberg teaches monitoring means to monitor the selection of parameters and to devise an optimized arrangement of the parameter selection. (see Hoffberg, abstract, lines 1-21; col. 50, line 53-col. 51, line 14; col. 116, lines 50-64)

It would have been obvious to an artisan at the time of the invention to include Hoffberg's teaching with the method of Hochstedler in order provide users with an adaptive user interface that changes in response to users' past history.

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As per claim 8, Hochstedler and Hoffberg teaches a system according to claim 7. Hochstedler further teaches the input device is a single button control. (see Hochstedler, column 1, lines 10-15; Touch pad is a single button control.)

As per claim 9, Hochstedler and Hoffberg teaches a method according to Claim 1. Hochstedler further teaches in which the selectable parameters are displayed as a menu in the optimized arrangement and the first actuation of the input device accepts the optimized arrangement and the second activation of the input device cancels the optimized arrangement. (see Hochstedler, column 8, lines 43-55)

As per claim 10, Hochstedler and Hoffberg teach a method according to Claim 9. Hochstedler further teaches the selectable parameters that are displayed on the menu are arranged in accordance with user preferences. (see Hochstedler, column 7, lines 47-60)

As per claim 11, Hochstedler and Hoffberg teach a method according to Claim 9. Hochstedler further teaches the selectable parameters that are displayed on the menu are arranged according to recent usage.

As per claims 12-14, they are of the same scope as claims 9-11 and are rejected respectively. Supra.

As per claim 15, it is of the same scope as claim 3. Supra

As per claims 16-18 are of the same scope as claims 4-6, and are rejected respectively.

Supra.

As per claim 20, it is of the same scope as claim 8. Supra.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hochstedler U.S. Patent 6,707,476 in view of Hoffberg U.S. Patent 6,400,996 further in view of Bates et al. U.S. Patent 6,452,617.

As per claim 19, Hochstedler and Hoffberg teach a method according to Claim 1. However they both fail to teach wherein the input device provides a single click mechanism as the first actuation and a double click mechanism for the second actuation.

Bates et al. teaches an input device provides a single click mechanism as the first actuation and a double click mechanism for the second actuation. (see Bates, column 1, lines 40-55)

It would have been obvious to an artisan at the time of the invention to include Bates' teaching with the method of Hochstedler and Hoffberg in order provide users with an ability to highlight with a single click and execute with a double click.

#### Response to Argument

Applicant's arguments with respect to claims 1-20 have been considered but are deemed to be moot in view of the new grounds of rejection.

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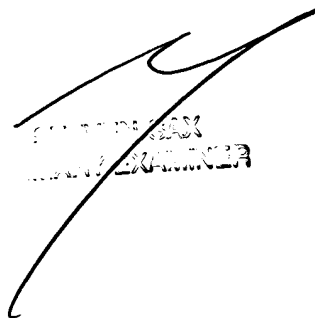
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke



Handwritten signature of Peng Ke, with a circular stamp containing the text "PENG KE" and "2009/09/23" overlaid on it.